

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Gee-Gwo Mei et al.

RECEIVED
CENTRAL FAX CENTER

APR 18 2005

Serial No.: 09/421,363 Group Art Unit: 2645

Filed: November 19, 1999 Examiner: Olisa Anwah

For: SYSTEM AND METHOD FOR PERSONALIZING DIALOGUE MENU FOR AN
INTERACTIVE VOICE RESPONSE SYSTEMHonorable Commissioner of Patents
Alexandria, VA 22313-1450**APPELLANT'S BRIEF ON APPEAL**

Sir:

Appellant respectfully appeals the final rejection of claims 1-10 and 12-42 in the Office Action dated November 16, 2004. A Notice of Appeal was filed herein on February 16, 2005.

I. REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation, assignee of 100% interest of the above-referenced patent application.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellant, Appellant's legal representative or Assignee which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-10 and 12-42 are all the claims presently pending in the application and are set forth fully in the attached Appendix.

Claims 1-4, 6-8, 10-12, 15-26, 28-32 36, 37 and 42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Polcyn, et al. (U.S. Patent No. 6,061,433). Claims 13-14 stand

04/27/2005 GSTANLEY 00000004 500510 09421363

01 FC:1402 500.00 DA